

IV. Comments and Coordination

US 301 Project Development



**Federal Highway
Administration**



**Delaware Department
of Transportation**

IV. COMMENTS AND COORDINATION

This section details the coordination efforts employed during the planning process for the US 301 Project Development project, including a description of the public involvement process, coordination with federal and state resource and regulatory agencies, and a compilation of comments (with responses where appropriate) received throughout the project development process.

A. Public Involvement Program

The public involvement program for this project includes extensive interaction with members of the public, including stakeholder interviews, individual and community meetings, public workshops, and an extensive program of public outreach through mailings, public announcements, bulletin boards, a project office and a project website.

1. Public Outreach

An initial identification of the affected and interested population was provided through a zip code mailing and general public announcements. An initial set of Public Workshops was held in June, 2005 to present the current development effort to the public and evoke their responses and comments. Additional individuals (and business owners), as identified during the public workshops period, were included in the subsequent public mailings. Members of the project team met with various community groups upon their request as well as during the outreach effort. A project office was opened on Broad Street in Middletown, and staffed three days a week to respond to individuals who visited. An interactive website was provided for individuals to review the project development process, review alternatives and impacts, and forward their comments to the Project Team. Notices of Public Workshops were published in local newspapers and statewide publications as well as posted in various locations in the project area.

a. Listening Tour

Public outreach for the project began in January 2005 with a Listening Tour of interviews with elected officials, agency representatives, business owners, property owners, farmers and community organizations. The purpose of the Listening Tour was to establish a dialogue with key stakeholders by informing them of the upcoming project development effort and offering them the opportunity to provide information and comments. Among those interviewed were:

<u>Name</u>	<u>Title/Representing</u>
Charles Baker, John Janowski, George Haggerty and Dale Culver	New Castle County (NCC) Department of Land Use
Dale Ervin	NCC Economic Development Council
The Hon. Steven Amick	State Senator
The Hon. Patty Powell	NCC Councilperson, 6 th District
The Hon. Bill Bell	NCC Councilperson, 12 th District
The Hon. Kenneth Branner	Mayor of Middletown

**US 301 Project Development
Draft Environmental Impact Statement
November 2006**



Name

Morris Deputy
Michael Scuse, Mark Davis
The Hon. Bethany Hall-Long
The Hon. Rebecca Tulloch
Ken Getty
Frank Bailey, Matt Borsari
Matthew Jamison
Nate McQueen, Alice Bailey
John Tulloch
Richard Janney
Robert Emerson
David and Teri Beste
The Hon. James Vaughn
The Hon Richard Cathcart
The Hon Stephanie Ulbrich
The Hon. David Raughley
Andy Lubin, Robert McCoy, Brian DeSabatino, Gene
Julian
Caroline duPont Prickett, Finn Neilsen
Members
Joyce Powell
Townsend Town Council
The Hon. Dorinda Connor
The Hon. David McBride
The Hon. Valerie Longhurst
The. Hon. Vincent Lofink
Herb Inden
John Hughes
Kevin Coyle, AICP
Susan Moerschel
David Carter, Charles Mulholland and Board of
Directors
Linda Bailey
Grace Webb Owings, Eric Sennstrom
Christopher A Coons
David Singleton
Lynn Howard
Dr. Tony Marcio, Bob Hershey
Paul Ignudo
Mark Nordquist, Kevin Lucas
Tigist Zegeye
Chuck Ott
Rusty Reber, Scott Kirchner, Chris Garrod
Marty Gimbus
Leann Ferguson
Chip Irons, Christine Irons, Faye Fields, Cathy Moretto
Terrence Dickerson
John Marino
Ed Colaprete
Ray Perez, Susan Love
Tom McCarthy
Dick Smith

Title/Representing

Middletown Town Manager
Delaware Department of Agriculture
State Representative
Former Mayor of Odessa
Odessa Fire Chief
Middletown Volunteer Fire Company
Captain, NCC Police Dept – Middletown Barracks
Delaware State Police, Troop 9
Odessa Citizen
Citizen
Citizen
Owners, Beste Veterinary
State Senator
State Representative
State Representative
Mayor of Townsend
Whitehall/Welfare Foundation

Summit Aviation
Middletown Chamber of Commerce
Business Owner (Allstate Insurance)
(Over 400 townspeople attended this event)
State Senator
State Senator
State Representative
State Representative
Delaware Office of State Planning Coordination
DNREC
Principal Planner, Office of the Secretary
Delaware Division of Parks & Recreation
Southern NCC Alliance

7 & 40 Alliance
Delaware Department of Planning and Zoning
NCC County Executive
NCC Chief Administrative Officer
NCC Deputy Chief Administrative Officer
Appoquinimink School District
NCC Vo-Tech
EIDS
WILMAPCO
Airmont Civic Association
Chesapeake Meadow Maintenance Corporation
Dickerson Farm Maintenance Corporation
Drawyer's Creek Maintenance Corporation
Fox Hunter Crossing
Grande View Farms Civic Association
Lea Earra Farms Maintenance Corporation
The Legends
Middletown Village Civic Association
Post and Rail Farms
Springmill

**US 301 Project Development
Draft Environmental Impact Statement
November 2006**



Name

Peggy Thomas
Eric Carr
David Baker, Robert Baker
Robert Baker, The Hon. Wally Caulk, C. Fred Stites, Jr.
John Filasky, Jr.
Rich Woodin
Dan Taylor

Title/Representing

Summit Bridge Farms Civic Association
Summit Bridge Farms Maintenance Corporation
Baker Farms
Delaware State Farm Bureau
Young Farmers
Woodin, Wentling & Associates
Artesian Water Company

b. Mailing List

The project mailing list, initially developed from zip code listings of all residents and businesses in the project area, has been continually updated and includes over 1,900 listings. This extensive mailing list encompasses a wide range of individuals including homeowners, elected officials, business leaders, community groups, government offices, and resource agencies. The mailing list is used to provide project development updates and notify interested parties of upcoming events, such as public workshops.

c. Individual and Community Group Meetings

Members of the Project Team met with individuals, business owners, and various community organizations. These meetings were scheduled throughout the project development process to provide interested parties a more individualized review of project specifics and provide an opportunity for individual interaction with the Project Team. Community meetings were held with:

Fox Hunter Crossing	Post and Rail Farms	Summit Farms
Matapeake	Springmill	Midland Farms
Grande View Farms	Mount Hope	Augustine Creek
Middletown Village	The Legends	Chesapeake Meadow
Airmont	Dickerson Farms	Jamison Corner Road
Summit Bridge Farms	Summit Pond	Back Creek
Westside Hunt	Lea Eara Farms	Cecilton
Galena		

The formats of these community meetings generally included an introductory overview of project process, status and schedule followed by a presentation on the alternatives under consideration. Question and answer sessions were a significant part of each meeting.

Members of the Project Team also met with members of the Middletown Baptist Church, members of the New Covenant Church, officials of Summit Airport, the developers of several planned communities, and several of the towns in Maryland.

Members of the Project Team were invited to join the Townsend Town Council meeting on September 7, 2005. Over 400 citizens attended to hear and comment on the range of alternatives, especially the Blue Alternative Options that were introduced after the initial June 2005 public workshops.

**US 301 Project Development
Draft Environmental Impact Statement
November 2006**



d. Project Office

The Project Office opened on July 7, 2005, at 723 North Broad Street in the Middletown Square Shopping Center. The office provides displays of the project, maps of the alternatives, impacts matrices and comment forms available for visitors. The office hours are Monday from 10:00 AM to 2:00 PM, Thursday from 3:00 PM to 7:00 PM and Saturday from 9:00 AM to 1:00 PM to allow an opportunity for walk-in review and direct input and discussion with project team members. Following the last Public Workshops in April, 2006, the office was closed due to a drop in visitor frequency. The Project Office remains available by appointment. Over 600 individuals have visited the Project Office to date. Following the publication of this DEIS, the Project Office will resume regular hours through the public comment period on Thursdays and Saturdays (except holidays).

e. Website

A project website was established at www.us301.org. The website includes comprehensive information about the project with interactive maps, and has been continually updated to present the latest information about alternatives, impacts, meetings and other scheduled events. The website includes a page inviting individual comments on the project. There have been over 1.5 million hits on the project website since its inception.

f. Public Workshops

Five sets of Public Workshops have been held throughout the project development process. Notices of the project workshops were advertised in the Delaware News Journal and the Middletown Transcript and posted at more than 40 locations throughout the project area, including a park and ride facility, banks, post offices, police and fire stations, and numerous local businesses. Individuals were notified using the project mailing list. The purpose of these workshops was to present the project to the community, as well as to encourage and receive feedback on the project's purpose and need, goals and objectives, potential alternatives, and impacts to the natural and built environment.

June 20 and 21, 2005 Public Workshops

Almost 800 people attended the first two workshops, held on June 20, 2005 at the Middletown Volunteer Fire Hall and on June 21, 2005 at the Brick Mill Elementary School. Attendees were provided an array of displays which identified the various elements of the project and a comment form. During the workshops, DelDOT provided a PowerPoint presenting the project and the workshop. A set of table maps depicting the preliminary alignments of each of the alternatives in the proposed Range of Alternatives was provided for individuals to review with members of the Project Team.

Over 350 comment forms were returned during the workshops; many more were received during the 30-day comment period that followed. Over 100 comments were received via the project

**US 301 Project Development
Draft Environmental Impact Statement
November 2006**



website. In summary, the comments received indicated agreement with the transportation needs being addressed, *i.e.*, traffic, congestion, safety and management of truck traffic. The comments received showed support for the Purple and Green Alternatives, indicated a lack of support for the Yellow, Orange, Brown and Red Alternatives, and several comments requested DelDOT evaluate a direct route south of Middletown from the state line to SR 1 (which became the Blue Alternatives).

Comments regarding the Yellow Alternative included negative comments about the impacts on existing properties and businesses, the lack of separation of through and local traffic, impacts on traffic during construction, and the impacts of placing a major freeway in a populated area. Positive comments cited the apparent lower cost, approved of utilizing the existing US 301 and Boyds Corner Road corridors, and noted that there would be fewer impacts to neighborhoods.

A majority of the comments regarding the Brown Alternative were in favor of dropping the alternative, noting that it would create a new roadway in an undeveloped area, bringing with it associated noise, light and air pollution and altering the integrity and tranquility of the area. Others believed it would be the longest and most costly, affect the most established communities, and impact the Summit Airport. Brown Alternative supporters noted that it would impact the fewest properties and existing businesses during construction.

A majority of those commenting on the Purple Alternative supported it, noting that it would impact fewer existing homes, would encourage truckers to use the SR 1 Bridge, that it bypassed Middletown, and that it would be the shortest, least expensive and most direct route. Those who did not support the Purple Alternative noted that a portion of it would create a new roadway in an undeveloped area, bringing with it associated noise, light and air pollution, thus altering the integrity and tranquility of the area.

A majority of the comments regarding the Green Alternative were supportive. Those who did not support the Green Alternative cited its impacts on Scott Run and the effects of locating a new roadway in an undeveloped area. Positive comments noted its direct route and bypass of Middletown, lack of impacts on existing communities, and low/mid-level environmental impacts.

Comments received regarding the Orange Alternative, later dropped from further consideration, were similar to those about the Yellow Alternative, noting its use of existing corridors and high amount of property impacts, and similar to those about the Brown Alternative's impacts on neighborhoods. Those commenting on the Red Alternative noted the need for a new bridge at Summit and the high cost, and asked for a comparison of SR 896 versus SR 1 access to I-95.

September 12, 13 and 19, 2005 Public Workshops

The second Public Workshops were held on September 12 and 13, 2005 at the Middletown Volunteer Fire Hall and on September 19, 2005 at the Townsend Fire Station. Almost 1,100 persons attended the three workshops, which presented an updated evaluation of the range of

**US 301 Project Development
Draft Environmental Impact Statement
November 2006**



alternatives and the impacts of those alternatives. Similar displays, presentations, and table maps and impacts matrices were available as were provided at the June, 2005 workshops. Attendees were asked to comment on the alternatives that they support (to be retained for further evaluation) or oppose (to be dropped from further consideration) and why.

Over 2,400 comment forms were handed out, and comments were received from 371 of the attendees along with a petition signed by 54 people. During the extended comment period (through October 14, 2005), an additional 685 comments and 1,813 petition signatures were received. Generally, the comments supported retaining the Purple and Green Alternatives for detailed evaluation and dropping the Yellow, Orange, Brown and Blue Alternatives. The comments were split in opinion on the Red Alternative.

The largest number of comments discussed the Green Alternative, with the majority of comments supporting retaining it for further study. Supporters cited similar reasons as at the workshops held in June, 2005, and a large number asked that an adjustment be made where the alternative crosses existing US 301 north of Middletown (move it northward). A majority of comments also supported retaining the Purple Alternative, also citing similar reasons to those received in June, 2005: lower property and environmental impacts, the directness of the route and a good balance among the issues.

The Yellow and Brown Alternatives received less support. Supporters of the Yellow Alternative continued to cite its use of existing roadway corridors and lower impacts on property values, while those recommending it be dropped from further consideration cited community impacts (divides Middletown), negative environmental impacts and business impacts. Supporters of the Brown Alternative believed it would impact fewer homes and resolve the dangerous curve at the base of Summit Bridge. Those opposing the Brown Alternative noted its negative impacts on Summit Airport, farmlands, and property values.

The Red Alternative received an almost equal number of supporting and opposing comments. The Blue and Orange Alternatives received the least support. The Blue Alternative, which had not been presented at the June, 2005 workshops, received the strongest opposition, citing its location, high environmental impacts and lack of ability to solve Middletown's congestion problems.

December 5, 6, and 7, 2005 Public Workshops

The third set of Public Workshops was held on December 5 and 6, 2005 at the Middletown Volunteer Fire Hall, and on December 7, 2005 at the Townsend Fire Station. The four retained build alternatives were presented at these workshops: the Yellow, Purple, Brown and Green Alternatives. The Purple and Green Alternatives were displayed for the first time with the added Spur Roads to the Summit Bridge, the proposed elimination of the toll-free ramps was proposed, and two alignment options were presented for the crossing/interchange at existing US 301. Comment forms were distributed that requested each respondent's likes or dislikes (and why) for each of the alternatives and asked them to indicate a preference, if any.

**US 301 Project Development
Draft Environmental Impact Statement
November 2006**



More than 525 persons attended the three workshops, and over 500 comments were received at the workshops and through the extended comment period. In addition, seven petitions containing over 4,900 signatures were submitted expressing support for or opposition to specific alternatives.

In expressing a preference for one of the alternatives, more people expressed an interest in the Yellow and Green Alternatives than the Purple and Brown Alternatives. More comments opposed the Purple and Brown Alternatives than supported them. There were a greater number of people in support of the Green Alternative than opposed. Preferences for and opposition to the Yellow Alternative were nearly equal. Five of the seven petitions opposed or supported an alternative on a community-oriented basis, opposing the alternative(s) that would pass closest to the respective communities or residences. Petitions were also received from those concerned about impacts to the Middletown Baptist Church (on Armstrong Corner Road) and the New Covenant Church (Jamison Corner Road at SR 896).

Some general and alternative-related themes were repeated with recognizable frequency, such as the need to do something, concern about the amount and pace of development in the project area, and a need to have a timely alternative decision. Alternatives-related themes included concerns with changing alignments (mainly addition of the Spur Road to Summit Bridge for the Green and Purple Alternatives), impacts to natural resources, and impacts to communities and community resources.

Specific issues that elicited quite a few comments included: the potential closure of the toll-free ramps to the St. George's Bridge over the C&D Canal, impacts to the Middletown Baptist and New Covenant Churches, and the spur roads (need, purpose, nature). The input from the public received at these December workshops led to the Project Team's February, 2006, Issues-Focused Workshops.

February 22 and 23, 2006 Issues-Focused Public Workshops

Two Issues-Focused Public Workshops were held on February 22, 2006 at the Middletown Fire Hall and on February 23 at the Cedar Lane Elementary School. These informal workshops presented the issues raised at the December Workshops and the Project Team's evaluation and response to those issues. These issues included:

- Retention of the toll-free ramps at the SR 1 bridge over the C&D Canal
- Purpose and need for the spur road on the Purple and Green Alternatives
- Potential avoidance or minimization of the impacts to the Middletown Baptist Church and the New Covenant Presbyterian Church
- Potential reduction of the impacts of the proposed interchange to the curve south of Summit Bridge
- Potential minimization of effects on adjacent communities and resources.

**US 301 Project Development
Draft Environmental Impact Statement
November 2006**



An overview presentation of the project status and the issues and potential solutions was given four times during each of the extended (7 hours, from 1:00 PM to 8:00 PM) workshops. Attendees also viewed displays of the project's alternatives and options and were invited to visit workstations where each of the issues was presented in detail.

Nearly 400 people attended the workshops, and fifty people offered written comments either at the workshops or during the comment period. A tally and review of responses led to the belief that there were an insufficient number of comments to provide support or opposition to the alternatives or options presented, although in many cases, the reasons offered for preferring or opposing an alternative or option were property or community oriented.

April 10 and 11, 2006 Public Workshops

Two additional Public Workshops were held on April 10 and 11, 2006, at the Middletown Fire Hall to present refined alternatives for review and comment. Notices of the meeting were extended to residents outside of the project area in Maryland because of concerns about potential toll diversions and the impacts on Maryland's roads and resources. The refinements were developed by the Project Team in response to comments received from the Agencies and throughout the public involvement process. Attendees were invited to view displays, attend a presentation, and review each of the refinements with members of the project team at large table maps showing each alternative and option.

Approximately 350 people attended these workshops, and 132 comments were received. One reason given for the seemingly low attendance is that the Project Team met with over 700 people at informal community meetings in the months following the February Workshops and prior to the April Workshops. In addition to comments, four petitions with a total of 876 signatures were received from people in support or opposition to one or more of the alternatives.

The comment form asked people to indicate their preference for one or more of the alternatives and/or options proposed. People were also asked to indicate which of the proposed options they preferred. Of those indicating a preference, twice as many expressed support for the Green Alternative than for the Yellow or Purple Alternatives. Those indicating a preference for one or more of the options provided some indication of public opinion, but were insufficient in number to draw conclusions. Petitions received requested the Green and Purple Alternatives be returned to their original alignment and the Spur Road removed., expressed opposition to the Yellow and Purple Alternatives, and expressed support for the Green Alternative with Armstrong Corner Road Area Option 2A.

B. Agency Coordination

To facilitate the project development schedule, DelDOT and the environmental resource and regulatory agencies agreed to hold monthly Agency Coordination Meetings for the US 301 project. These US 301 meetings were separate from the usual quarterly DelDOT/Resource Agency Joint Permit Review (JPR) meetings. Representatives of the Federal Highway

**US 301 Project Development
Draft Environmental Impact Statement
November 2006**



Administration (FHWA), US Army Corps of Engineers (ACOE), US Environmental Protection Agency (EPA), State Historic Preservation Office (SHPO), US Fish and Wildlife Service (FWS), Delaware Department of Natural Resources (DNREC) and Delaware Department of Agriculture (DDA) participated in these meetings throughout the project development process. The National Marine Fisheries (NMF) did not participate in the meetings but was provided all the project information and data provided to all other agencies.

1. Agency Coordination Meetings

The project initiation meeting was held with the agencies on April 14, 2005. At this first meeting, the Project Team was introduced and historical background, scoping, an initial environmental inventory and a draft Purpose and Need were presented. Additional meetings were held on May 23, July 12, August 23, November 8, and December 8, 2005. In 2006, coordination continued with meetings held on January 17, March 30, June 8, and August 15, 2006. Two joint agency field tours/views were held on May 23, 2005 and July 12, 2005. **Table IV-1** summarizes the schedule of formal agency meetings held to date and outlines the topics discussed.

Table IV-1: Agency Coordination Meetings

Date	Topics Discussed
April 14, 2005	Project Initiation – Introduce the Project Team, provide historical background, begin scoping and Purpose and Need dialog and draft, provide initial environmental inventory.
May 23, 2005	Project Briefing and Field View – Present and discuss a revised schedule, update action items from 4/14/05 meeting, present and discuss the potential range of alternatives, and conduct a field view.
July 12, 2005	Project Update and Range of Alternatives – Provide updates on action items since the field view (5/23/05); update cultural and natural resources investigations and coordination; review content and comments from June 20 and 21, 2005 Public Workshops; discuss range of alternatives and potential alternatives retained; and discuss next steps. A field view followed the meeting.
August 23, 2005	Project Update, Range of Alternatives, and Potential Alternatives Retained for Detailed Evaluation – Provide updates since 7/12/05 meeting; provide traffic analysis and toll option updates; present public outreach update; present and discuss alternatives (recommended dropped from range of alternatives, recommended range of alternatives, potential alternatives retained for detailed evaluation or to be dropped from further consideration; discuss next steps.
November 8, 2005	Final Alternatives Retained for Detailed Evaluation – Provide updates since the 8/23/05 meeting on all aspects of the project; present and discuss traffic updates and rationale for including spur concepts with Green and Purple; discuss and obtain verbal concurrence on alternatives to be dropped from further consideration.
December 8, 2005	Project Update, Review of December Workshops, Working Draft EIS Preview – Provide updates since the 11/8/05 meeting on all aspects of the project, present the contents of the workshops, present and discuss Phase II bog turtle survey and impact to project schedule, preview the Working Draft EIS. The Agency Review Draft EIS was provided to all agencies.
January 17, 2006	Project Update, December Workshop Follow-Up, Working Draft EIS Comments – Provide project update since 12/8/05 meeting including cultural and natural resources, finalize bog

Table IV-1: Agency Coordination Meetings

Date	Topics Discussed
	turtle Phase II survey program details, finalize items from December Workshops, continue to evaluate retained alternatives, and receive agency comments on the Working Draft EIS
March 30, 2006	Project Update, February Workshops Results, Working Draft EIS Comments, Preliminary Section 4(f) Avoidance Analysis – Provide updates on Cultural and Natural Resources and noise analysis, discuss February Workshops results and April Workshop plans, discuss DEIS and comments to date, discuss Section 4(f) Avoidance Analysis, Discuss scope of Bog Turtle Survey (Phase II and III) effort, teams and schedule
June 8, 2006	Project Updates, Bog Turtle Survey Status, Results of April Public Workshops, Noise Analysis Results, Working Draft EIS Comments – Provide updates since 3/30/06 meeting on resources, provide status of Bog Turtle Survey (in progress), provide noise mitigation analysis and earth berms, provide status on next draft of DEIS and potential schedule for path forward
August 15, 2006	Project Updates, Report on Bog Turtle Results, Discussion of Preferred Alternative – Provide project updates since 6/8/06 meeting, provide results of Bog Turtle Surveys, provide updates on traffic modeling and potential toll diversions (Toll Diversion Working Group), provide impacts of all alternatives and facilitate discussion of DelDOT recommendation on a Preferred Alternative.

Individual field views and reviews were also held on a regular basis with agency representatives. The ACOE representative met regularly with project scientists and other agency representatives in the field to review wetland delineations (June 15, June 23, July 12, July 19, August 9, August 19, September 8, November 9, November 16, and December 21, 2005; January 5 and January 10, 2006). Coordination with DNREC has included field reviews of bog turtle habitat, RTE species, wetlands and coastal zone consistency on August 8, August 31, September 8, September 22, November 18, 2005, and February 23 and May 11, 2006. Coordination with the SHPO has also proceeded with a series of meetings and field reviews, including those held on July 12, July 28, August 10, August 17, September 13, November 4 and November 9, 2005, and on April 21, May 16, and July 18, 2006.

2. Field Views and Reviews – ACOE

In addition to the regular monthly meetings, members of the ACOE met regularly with the field teams during the wetlands delineation effort. The ACOE and DELDOT committed to early planning and coordination efforts to assure that the wetland information generated would be accurate and reliable. ACOE worked closely with DNREC and the Project Team to verify wetland delineations in the field as well as to determine the quality of each wetland surveyed. *Table IV-2* lists the dates of ACOE field views and meetings.

Table IV-2: ACOE and DNREC –Coordination Meetings and Field Views

June 15, 2005	Natural Resources
June 23, 2005	Natural Resources
July 12, 2005	Agency Field Review (General)
July 19, 2005	Natural Resources
August 8, 2005	DNREC Natural Heritage
August 9, 2005	Natural Resources
August 19, 2005	Natural Resources
September 8, 2005	Agency Field Review – Blue Alternative Alignments
September 22, 2005	DNREC Natural Heritage
November 8, 2005	Natural Resources
November 9, 2005	Natural Resources
November 16, 2005	Natural Resources
November 18, 2005	DNREC Natural Heritage
November 30, 2005	Natural Resources
January 5, 2006	Natural Resources
January 10, 2006	Natural Resources
February 23, 2006	DNREC Natural Heritage
May 11, 2006	DNREC Wetlands and Coastal Zone Consistency
July 21, 2006	Bog Turtle Coordination Meeting

3. Field Views and Reviews – DNREC

Information on rare, threatened and endangered (RTE) species was requested from DNREC and the US Fish and Wildlife Service (FWS) on May 13, 2005. Responses were received on July 25, 2005 from DNREC's Natural Heritage and Endangered Species Program (DNHP) and on August 17, 2005 from FWS (see *Appendix C*). The responses indicated the presence of federally endangered bog turtles and bald eagles within the project area as well as several state-listed species of concern.

A small portion of the project area is in the State of Maryland. Letters requesting information on RTE species were sent to the Maryland Department of Natural Resources (DNR) Environmental Review Unit (ERU) and Wildlife & Heritage Division on October 20, 2005. Responses were received on December 7, 2005 and indicate that no Maryland state listed species were present in the project area.

Due to the high probability of the presence of rare, threatened and endangered species and or potential habitat for those species within the project area (especially bog turtle), members of the Project Team committed to coordinate with members of DNREC through all the phases of bog turtle survey. Coordination and demonstrations of Phase I methodology for potential bog turtle habitat were conducted on August 8, 2005. Field reviews of Phase I habitat areas were conducted on February 23, 2006, and a Phase II/III survey site visit was conducted on May 11, 2006. The results of the Phase I habitat surveys are included in *US 301 Project Development: Investigation for Wetlands and Waters of the United States and Phase I Bog Turtle Habitat Assessment, 2005* (draft November 2005), and the results of the Phase II and Phase III surveys

are reported in *Phase II/III Bog Turtle Surveys for US 301 Corridor Improvement Project, August 2006*.

4. Field Views and Reviews – Cultural Resources Evaluation – Section 106

There is a high probability of cultural resources, both architectural and archaeological, being present within the project area. Continuing coordination with the Delaware SHPO office has included meetings and field reviews to determine the presence of cultural resources, the potential for archaeological resources within the alternatives' limits of disturbance, and the eligibility of newly-identified resources for listing on the National Register of Historic Places. Coordination meetings between DelDOT and the SHPO took place on July 28, August 10 and 17, September 13, and November 4 and 19, 2005. Additional meetings were held on April 21, May 16, and July 18, 2006 to discuss additional newly surveyed resources that may be eligible for listing in the National Register of Historic Places, visual effects, noise impacts to historic resources, a plan to test the hypotheses of the Archaeological Predictive Model, and to begin the field evaluation of potential visual and noise effects. Coordination will continue during completion of the determination of effects, through the development of strategies to minimize and/or mitigate adverse effects, and the completion of a Memorandum of Agreement.

The *US 301 Project Development Determination of Eligibility Report*, describing architectural resources in the project area, was submitted to the SHPO for review in September 2005. Supplemental materials were submitted on June 1, 2006 and July 11, 2006. The SHPO and DelDOT have, through consultation, achieved concurrence on boundaries and determinations of eligibility for all surveyed resources. The *Archaeological Predictive Model – US 301 Project Development*, which describes the probability of archaeological sites along the alternatives' alignments, was also submitted in September 2005. The hypotheses presented in this predictive model were tested during June/July 2006 during a Phase I Archaeological Survey conducted on selected locations within DelDOT-owned parcels along the ridge alignment. Following the Phase I Survey, the predictive model was updated and resubmitted in August, 2006. Treatment of potential archaeological sites that may be affected by the Selected Alternative will be detailed in a Memorandum of Agreement (MOA) to be included with the Final Environmental Impact Statement.

C. Toll Diversion Coordination

As the traffic projections were being developed for the US 301 project, a significant emphasis was placed on establishing a clear understanding of toll diversions related to the proposed toll plaza near the Delaware/Maryland state line. A thorough understanding of the most likely routes that motorists were likely to use, as well as the magnitude of traffic anticipated on those roads, was evaluated. With that determination, a comprehensive set of mitigation measures intended to minimize diversions, while minimizing impacts to the surrounding communities was developed.

In the summer of 2005, a Traffic Diversion Committee began studying the potential impacts associated with a toll on US 301, and subsequently began developing mitigation strategies. Over

**US 301 Project Development
Draft Environmental Impact Statement
November 2006**



50 people were invited to participate in a series of four working meetings focused on toll diversions. While the meetings generally consisted of approximately 20 participants, all meeting materials were distributed to the entire distribution list of invitees. Members of the US 301 Traffic Diversion Committee included:

<u>Name</u>	<u>Representing</u>
Mark Tudor	Delaware Department of Transportation
Mike DuRoss	Delaware Department of Transportation
Bruce Allen	Delaware Department of Transportation
PJ Wilkins	Delaware Department of Transportation
Don Weber	Delaware Department of Transportation
Pam Steinebach	Delaware Department of Transportation
Ralph Reeb	Delaware Department of Transportation
Darrel Cole	Delaware Department of Transportation
Drew Boyce	Delaware Department of Transportation
Darren O'Neill	Delaware Department of Transportation
Terry Fulmer	Delaware Department of Transportation
Gary Laing	Delaware Department of Transportation
Tom Meyer	Delaware Department of Transportation
Erika Rush	Urban Engineers
Lt. Mark Collender	Delaware State Police
Dennis N. Simpson	Maryland Transportation Authority
Melissa Williams	Maryland Transportation Authority
Mike Nixon	Maryland Department of Transportation
Jim Dooley	Maryland State Highway Administration
James Thompson	Maryland State Highway Administration
Terry Wright	Maryland State Highway Administration – District 2
H. Karl Stoecker	Maryland State Highway Administration – District 2
Robert S. Kiel	Maryland State Highway Administration – District 2
Michael Lewis	Maryland State Highway Administration – District 2
John Janowski	New Castle County, DE
Owen Robatino	New Castle County, DE
Tony DiGiacomo	Cecil County, MD
Gail Owings	Kent County, MD
John Bunnell	Mayor – Town of Cecilton
Shelley McDonald	Town Administrator - Cecilton
Heather Dunigan	WILMAPCO
Bill Swiatek	WILMAPCO
Dan Blevins	WILMAPCO
Tigist Zegeye	WILMAPCO
Greg Carey	Goldman Sachs
Mark Florian	Goldman Sachs
Art Goldburg	URS Corporation
David Schellinger	URS Corporation
Matt Scott	PBConsult
David Earley	PBConsult
Bob Kramer	Kramer Associates
Andrew Bing	Kramer Associates
Ed Thomas	Kramer Associates
Bill Hellmann	Rummel, Klepper & Kahl, LLP
Marcel Klik	Rummel, Klepper & Kahl, LLP
Jim Burnett	Rummel, Klepper & Kahl, LLP

**US 301 Project Development
Draft Environmental Impact Statement
November 2006**



<u>Name</u>	<u>Representing</u>
Joe Wutka	Rummel, Klepper & Kahl, LLP
Matt Snare	Rummel, Klepper & Kahl, LLP
Carey Webb	Rummel, Klepper & Kahl, LLP
Ray Harbeson	Rummel, Klepper & Kahl, LLP
Jeff Kuttesch	Rummel, Klepper & Kahl, LLP

The US 301 Traffic Diversion Committee met four times to discuss traffic projections, analysis results and potential traffic diversion issues, and recommend actions to be taken. **Table IV-3** summarizes the topics discussed at the meetings.

Table IV-3: US 301 Traffic Diversion Committee Meetings

August 25, 2005	Organizational meeting. Reviewed background data and analysis. Suggested additional analyses
October 6, 2005	Discussed ideas, developed potential mitigation measures
December 1, 2005	Discussed ideas, developed potential mitigation measures
March 2, 2006	Finalized potential mitigation measures

Following the March 2, 2006 Traffic Diversion Committee meeting, the elected officials from the town of Cecilton, Maryland requested a presentation to their citizens focusing on the potential toll diversion issues. Accordingly, on March 27, 2006, a meeting was held with the Cecilton Town Council, focusing on the potential toll diversion impacts on MD 213 and on the local roads in and near Cecilton, MD.

As noted previously, Public Workshops were held on April 10 and 11, 2006, at the Middletown Fire Hall to present refined alternatives for review and comment. Notices of the meeting were extended to residents in Maryland because of concerns about potential toll diversions and the impacts on Maryland's roads and resources. Following the April 10 and 11 Public Workshops, a meeting was held on May 8, 2006 with the town of Galena, Maryland to discuss potential toll diversion issues.

In light of the concerns expressed about potential toll diversions in Maryland resulting from the US 301 project, a Toll Diversion Working Group was formed to further examine issues pertaining to potential toll diversions, particularly on roads in Maryland. Members of the Toll Diversion Working Group included:

Mark Tudor
US 301 Project Director
DelDOT

Bill Kiessling, Mayor
Town of Chesapeake City

Dennis Simpson
Deputy Director, Capital Planning
Maryland Transportation Authority

John Bunnell, Mayor
Town of Cecilton

Doug Simmons, Deputy Administrator
Maryland State Highway Administration (MSHA)

Michael Cooper, President
Cecilton Volunteer Fire Company

**US 301 Project Development
Draft Environmental Impact Statement
November 2006**



Richard Lindsay, District Engineer
MSHA

Captain Bill Dofflemeyer, Commander
Commercial Vehicle Enforcement Division
Maryland State Police

Harry Pisapia, Mayor
Town of Galena

Chris Powell, Chief
Galena Volunteer Fire Company

Bonny Anderson
Warwick Area

William Manlove
Cecil County Commissioner

Sheriff Barry Janney
Cecil County

The Toll Diversion Working Group met three times, on July 11, July 25 and August 9, 2006, to discuss traffic analysis results, potential traffic diversion issues, and recommend actions to be taken. The final recommendations of the Toll Diversion Working Group are detailed in **Chapter III Section G.4.d.**